

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LINVILLE,

Petitioner,

v.

GISELLE MATTESON, Warden,

Respondent.

No. 2:22-cv-0057 KJM AC P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. ECF No. 7. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 2, 2022, the court issued an order recommending that this matter be dismissed for failure to obey court orders and for failure either to file an in forma pauperis application or to pay the filing fee. ECF No. 8. Since then, petitioner has filed an application to proceed in forma pauperis. ECF No. 9. Petitioner has also paid the filing fee.

Because petitioner has complied with the court's previously issued orders, the pending findings and recommendations are no longer applicable, and petitioner's application to proceed in forma pauperis is moot. Therefore, the application to proceed in forma pauperis will be denied as such, and the outstanding findings and recommendations order will be vacated.

////

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's application to proceed in forma pauperis (ECF No. 9) is DENIED as moot,

3 and

4 2. The pending findings and recommendations order issued May 2, 2022 (ECF No. 8), is  
5 hereby VACATED.

6 DATED: June 24, 2022

  
7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28